

AMENDED IN ASSEMBLY APRIL 22, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 875

Introduced by Assembly Member Chesbro

February 22, 2013

An act to amend ~~Section~~ *Sections 4629.6 and 6217.1* of, and to add Article 5.5 (commencing with Section 4564) to Chapter 8 of Part 2 of Division 4 of, the Public Resources Code, relating to resource protection and management.

LEGISLATIVE COUNSEL'S DIGEST

AB 875, as amended, Chesbro. Forest management.

The Z'Berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations, as defined, unless a timber harvesting plan prepared by a registered professional forester has been submitted to, and is approved by, the Department of Forestry and Fire Protection. Existing law establishes the Timber Regulation and Forest Restoration Fund in the State Treasury, and requires that all revenues received from a specified assessment imposed on the retail sale of lumber products, as defined, and engineered wood products, as defined, less amounts deducted for refunds and reimbursements, be deposited into the fund. Existing law requires that moneys deposited into the fund be expended, upon appropriation by the Legislature, for specified purposes, including to fund existing restoration grant programs.

This bill would ~~include the funding of projects~~ *provide that priority be given to funding restoration grant programs* relating to salmon and anadromous trout species ~~to this list of purposes~~.

~~This bill would require the State Board of Forestry and Fire Protection and the department, with the guidance of other entities, including harvest~~

~~plan review agencies, to conduct pilot projects, to be completed by January 1, 2017, to determine and implement processes that would result in long-term efficiencies and cost savings while ensuring environmental performance that would protect and restore vital soil, water, wildlife, timber, and forest values and resources. The bill would require these pilot projects to focus on certain things, including reforming and standardizing requirements for vital information on a CalWater planning watershed basis. The bill would require funding and personnel for the development and implementation of the pilot projects to be from existing department and responsible agencies' budgets and personnel. The bill would require all documents that form the basis for the pilot projects to be posted on the department's Internet Web site and the findings and recommendations of the pilot projects to be presented at one or more public meetings.~~

~~The bill would require the board to develop recommendations and pass regulations for providing electronic public access to all relevant documents that assist the department in administering timber harvest regulations, in ensuring the protection and recovery of forest and watershed health and productivity, and in monitoring.~~

Existing law requires the Department of Fish and Game to grant funds from the Salmon and Steelhead Trout Restoration Account in the Resources Trust Fund in a specified manner, including for projects implementing instream, riparian, water quality, water quantity, and watershed prescriptions that are designed to restore the structure and function of fish habitat.

This bill would require these projects to also protect the structure and function of fish habitat.

Existing law requires that not less than 65% of the moneys in the account be used for salmon habitat protection and restoration projects.

This bill would include training and education as uses for these moneys, as provided.

Existing law requires up to 35% of the moneys in the account to be used for specified purposes.

This bill would include county salmonid conservation programs as one of these purposes.

The bill would require the Secretary of the Natural Resources Agency and the Secretary for Environmental Protection, by July 1, 2014, in consultation with various entities, to select a pilot project assessment team, as specified, to undertake pilot projects with the primary goal being to improve the state's collection, organization, management, use,

and distribution of vital forestry-related information. The bill would require the pilot projects to accomplish certain things, including enabling restoration measures to be identified for listed anadromous salmonids, other wildlife, watersheds, and forest health issues. The bill would require the pilot projects to conclude on January 1, 2017. The bill would require the pilot project assessment team to create a report of its findings, conclusions, and recommendations and hold a public meeting to discuss the report.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. This act shall be known and may be cited as the~~
2 ~~AB 1492 Implementation Act for Forest Restoration, Ecological~~
3 ~~Performance, and Program Efficiencies.~~
4 ~~SEC. 2. The Legislature finds and declares all of the following:~~
5 ~~(a) There are numerous water bodies in California that have~~
6 ~~been declared by the State Water Resources Control Board to be~~
7 ~~impaired due to excessive sedimentation, high water temperatures,~~
8 ~~and pollutants.~~
9 ~~(b) Sequestration of carbon in forest lands is a vital component~~
10 ~~of California's climate change strategy as articulated by the Climate~~
11 ~~Action Team and the State Air Resources Board.~~
12 ~~(c) The regions of California that have state or federally listed~~
13 ~~anadromous salmonid species are often predominately forest lands~~
14 ~~that are subject to the Z'berg-Nejedly Forest Practice Act of 1973,~~
15 ~~pursuant to Chapter 8 (commencing with Section 4511) of Part 2~~
16 ~~of Division 4 of the Public Resources Code, for purposes of review~~
17 ~~and approval of timber harvest plans. These plans include, but are~~
18 ~~not limited to, timber harvest plans (THPs), nonindustrial timber~~
19 ~~management plans (NTMPs), sustained yield plans (SYPs), and~~
20 ~~program timberland environmental impact reports (PTEIRs).~~
21 ~~(d) Important gains have been made in forest land resource~~
22 ~~protection and conservation since the Z'berg-Nejedly Forest~~
23 ~~Practice Act of 1973, including the application of the California~~
24 ~~Environmental Quality Act (CEQA), and various state and federal~~
25 ~~water quality and fish and game statutes and regulations.~~
26 ~~(e) There are still opportunities for improvement by the~~
27 ~~development of a comprehensive cumulative effects review process~~

1 that is conducted in cooperation with landowners and other
2 stakeholders. An effective cumulative effects review process can
3 provide the information necessary to restore and recover fish and
4 wildlife populations, to improve the quality and quantity of timber,
5 to take actions to reduce fire hazards, to sequester carbon, to
6 produce energy, and to create jobs.

7 (f) In 2012 the Legislature passed, and the Governor signed,
8 Assembly Bill 1492 (Chapter 289 of the Statutes of 2012). This
9 law, among other things, provided for the financing of the review
10 and approval process for the plans described in subdivision (c).
11 Key intent language in that law called for reform of that process
12 to ensure that efficiencies for that process were determined and
13 implemented, and that environmental performance was ensured.

14 (g) In addition and related to the key role of an improved
15 cumulative effects evaluation and response, cited above, there is
16 a need to determine effective and useful information organization
17 and accessibility, to enable recovery of the referenced forest and
18 watershed resources and to provide sets of adequate monitoring
19 protocols that meet the dual need for efficiencies and environmental
20 performance.

21 (h) Given the complexities, the involvement of multiple
22 stakeholders, and the need to make positive progress in the needed
23 reforms, it is necessary to undertake pilot projects that will enable
24 formalization of measures that will accomplish the efficiencies
25 referred to in subdivisions (f) and (g) and ensure environmental
26 performance consistent with the responsibilities and needs of each
27 of the stakeholders. The pilot projects conducted for purposes of
28 this act will have the following attributes:

- 29 (1) A multidisciplinary approach.
- 30 (2) Qualified representatives of the range of stakeholders.
- 31 (3) Rigorous procedures.
- 32 (4) Transparency.
- 33 (5) Appropriate and varied locales.
- 34 (6) Well-documented and thought-out goals, processes, and
35 findings.

36 SEC. 3. Article 5.5 (commencing with Section 4564) is added
37 to Chapter 8 of Part 2 of Division 4 of the Public Resources Code,
38 to read:

Article 5.5. ~~Watershed Pilot Projects~~

~~4564. (a) The board and the department, guided by the Natural Resources Agency and the California Environmental Protection Agency, in partnership with harvest plan review agencies, the range of public stakeholders, and the scientific community, shall conduct pilot projects to determine and implement processes that result in long-term efficiencies and cost savings while ensuring environmental performance that will protect and restore vital soil, water, wildlife, timber, and forest values and resources.~~

~~(b) The pilot projects shall initially focus on:~~

~~(1) Reforming and standardizing requirements for vital information on a CalWater planning watershed basis by establishing basic templates for mapping and other information. The templates shall provide basic and electronically accessible information deemed necessary by the agencies, plan submitters, and the public to understand and fulfill their legal responsibilities.~~

~~(2) Making the evaluation of and response to cumulative impacts credible and effective.~~

~~(3) Enabling restoration measures to be identified for listed anadromous salmonids and other wildlife, watersheds, and the forest itself.~~

~~(4) Determining appropriate and effective monitoring procedures and standards.~~

~~(c) The industry, agencies, and the public shall have the opportunity to participate in the development and implementation of the pilot projects in a transparent process.~~

~~(d) Initial pilot project results shall include the development of guidelines for conducting a cumulative effects evaluation on a planning watershed scale, and shall address the potential project-specific planning watershed cumulative effects of timber harvesting activities.~~

~~(e) All pilot projects shall:~~

~~(1) Take place at the appropriate spatial scale.~~

~~(2) Use reproducible, preferably quantitative, methods of evaluation as the primary means of determining baseline, or existing physical, chemical, or biological parameters, or both.~~

~~(3) Document the findings, conclusions, and recommendations.~~

~~(4) Be conducted by persons and entities with relevant training and experience.~~

~~(5) Have consultation with, and seek comment from, appropriate scientific experts and the public, including, but not limited to, qualified fisheries and wildlife biologists, in order to develop evaluation and implementation guidelines that are feasible, enforceable, and protective of the public trust.~~

~~(6) Use information from the State of Washington's Watershed Analysis Manual, the Methods Manual developed by the State of California's North Coast Watershed Assessment Program, the Recovery Strategy for California Coho Salmon, the National Oceanic and Atmospheric Administration fisheries' recovery plans for California evolutionarily significant units, the State Wildlife Action Plan, and from other pertinent reports, programs, and guidance documents.~~

~~(7) Include significant primary goals such as to effectively protect, maintain, and contribute to the restoration of properly functioning habitats for recovery of listed species, restoration of quality timberlands, or other goals deemed appropriate under Section 4564. Some of these goals may include reducing the risk of wildfire with special consideration for human communities; reducing sedimentation and soil loss; achieving long-term carbon sequestration in on-site tree growth and other on-site forest carbon pools, and protecting and restoring unique attributes of a given planning watershed.~~

~~(f) Pilot projects shall be consistent with state and federal mandates governing coho salmon recovery and restoration of impaired water bodies. Pilot projects shall also reflect the established joint policies between the board, the department, the Department of Fish and Wildlife, and the Fish and Game Commission.~~

~~(g) Funding and personnel for the development and implementation of pilot projects shall be provided from the department's existing budget and personnel. Harvest plan review agencies participating in the pilot project shall first utilize funds from any appropriation made pursuant to subdivision (c) of Section 4629.6. Additional funding shall be sought from private and public sources, statewide and nationally, with an emphasis on receiving support from educational institutions.~~

~~(h) All documents that form the basis for the pilot projects that are developed pursuant to this section shall be posted on the department's Internet Web site.~~

1 (i) Notwithstanding subdivision (h), findings, recommendations,
2 and actions resulting from pilot projects shall be publicly accessible
3 on the board's Internet Web site, along with copies or links to
4 public documents that provide additional relevant information,
5 including the scientific basis for analytical tools, supporting
6 science, and data that is relied upon in the guidelines.

7 4565. The board, with the assistance of a multidisciplinary
8 technical advisory committee, and in consultation with the Natural
9 Resources Agency, the California Environmental Protection
10 Agency, and other entities, as determined by the board, shall
11 develop recommendations and adopt regulations, if necessary, for
12 providing electronic public access to all relevant documents that
13 assist the department in administering timber harvest regulations,
14 in ensuring the protection and recovery of forest and watershed
15 health and productivity, and in monitoring. Watershed-specific
16 information shall be organized by the CalWater planning
17 watersheds, which may then be conglomerated into larger
18 aggregations, as appropriate.

19 4566. (a) The pilot projects required by this article shall be
20 completed by January 1, 2017.

21 (b) The findings and recommendations of pilot projects shall
22 focus on the collection, organization, distribution, and use of
23 information that will more efficiently and effectively assist
24 cumulative effect analyses, post harvest monitoring, and forest
25 restoration activities. The goal of these recommendations shall be
26 to meet (1) the needs of each of the agencies and the public and
27 private stakeholders and (2) the criteria of creating efficiencies
28 and ensuring environmental performance.

29 (c) The findings and recommendations shall be presented at one
30 or more public hearings, depending on the scope and spacial extent
31 of those findings and recommendations. The initial hearing shall
32 be before the board, with all pilot project-involved agencies
33 required to be present.

34 (d) Upon making a finding that the recommendations satisfy
35 the goals specified in subdivision (b), the board shall implement
36 the recommendations. If the board determines that regulations are
37 necessary to implement those recommendations, the board, in
38 consultation with the department, the Department of Fish and
39 Wildlife, the State Water Resources Control Board, and the

1 Department of Conservation, shall adopt the regulations by January
2 1, 2018.

3 *SECTION 1. Article 5.5 (commencing with Section 4564) is*
4 *added to Chapter 8 of Part 2 of Division 4 of the Public Resources*
5 *Code, to read:*

6
7 *Article 5.5. Watershed Pilot Projects*
8

9 *4564. (a) By July 1, 2014, the Secretary of the Natural*
10 *Resources Agency and the Secretary for Environmental Protection,*
11 *in consultation with the state's timber harvest plan review agencies,*
12 *relevant federal agencies, and qualified stakeholders from the*
13 *timber industry and environmental and science communities, shall*
14 *select a pilot project assessment team to undertake the pilot*
15 *projects described in Section 4565.*

16 *(b) Before selecting the pilot project assessment team, the*
17 *Secretary of the Natural Resources Agency and the Secretary for*
18 *Environmental Protection shall hold at least one public meeting*
19 *to discuss the assessment team selection process and the general*
20 *manner in which the team will approach the projects. This meeting*
21 *shall occur at a special session hearing of the Board of Forestry*
22 *and Fire Protection.*

23 *(c) (1) The pilot project assessment team shall include all of*
24 *the following:*

25 *(A) Two representatives from each state agency that is regularly*
26 *involved in the timber harvest review process. If feasible, each*
27 *agency shall have representatives who, collectively, have expertise*
28 *in the sciences and art of cumulative impacts and the collection*
29 *and organization of data.*

30 *(B) If available, qualified representatives from federal agencies*
31 *involved in forestry issues.*

32 *(C) Two qualified representatives from the environmental*
33 *community.*

34 *(D) Two qualified representatives from the timber industry.*

35 *(E) Two registered professional foresters, one of whom shall*
36 *have experience with preparing harvest plans for landowners who*
37 *are not primarily engaged in the manufacture of forest products.*

38 *(F) Two scientists, including, but not limited to, qualified*
39 *fisheries and wildlife biologists.*

1 (G) Two individuals from the watershed restoration practitioners
2 community.

3 (2) For each group of representatives, there shall be one person
4 who has experience with forestry issues in the Coast Forest District
5 and one person who has experience with forestry issues in the
6 Northern Forest District.

7 (d) (1) As approved by the Board of Forestry and Fire
8 Protection, members of the pilot project assessment team may be
9 reimbursed for their actual and necessary expenses incurred in
10 the performance of official business related to the pilot projects.

11 (2) Members of the pilot project assessment team shall not
12 receive more than five thousand dollars (\$5,000) in any fiscal year.

13 (3) This subdivision shall not apply to a public employee whose
14 participation is consistent with his or her job description.

15 4565. (a) By July 1, 2015, the pilot project assessment team
16 shall undertake two pilot projects, one in a Coast Forest District
17 watershed containing Central California Coast Coho Salmon and
18 one in a Northern Forest District watershed in the Sierra Nevada,
19 with the primary goal of improving the state's collection,
20 organization, management, use, and distribution of vital
21 forestry-related information. The pilot project shall accomplish
22 all of the following:

23 (1) Make the evaluation and response to cumulative impacts
24 credible and effective.

25 (2) Enable restoration measures to be identified for listed
26 anadromous salmonids, other wildlife, watersheds, and forest
27 health issues.

28 (3) Determine appropriate and effective post-harvest monitoring
29 procedures and standards.

30 (b) The pilot projects shall have a focus on (1) developing
31 efficiencies and cost savings for state agencies and landowners
32 and (2) improving the evaluation of ecological performance. The
33 pilot project assessment team may use the State of Washington's
34 Watershed Analysis Manual, the Methods Manual developed by
35 the State of California's North Coast Watershed Assessment
36 Program, the Recovery Strategy for California Coho Salmon, the
37 National Oceanic and Atmospheric Administration fisheries'
38 recovery plans for California evolutionarily significant units, the
39 State Wildlife Action Plan, and other pertinent reports, programs,

1 *and documents as guidance to the extent that they do not conflict*
2 *with this article.*

3 *(c) The pilot projects shall take place on a CalWater Planning*
4 *Watershed level. The pilot project assessment team shall select*
5 *watersheds that (1) are representative of both private and public*
6 *trust values and (2) will produce analyses that are transferable to*
7 *other watersheds.*

8 *(d) The pilot projects shall establish, to the extent feasible,*
9 *templates, consistent symbology, uniform mapping requirements,*
10 *and other requirements to bring information together (1) in a*
11 *publically accessible electronic database and (2) in a manner that*
12 *meets the basic needs of all stakeholders to make decisions on*
13 *environmental conditions and impacts.*

14 *(e) By January 1, 2015, the pilot project assessment team shall*
15 *develop a draft plan explaining the scope and process of the pilot*
16 *projects and hold at least one public hearing to discuss the draft*
17 *plan and take public comment.*

18 *(f) The pilot projects shall conclude on July 1, 2017.*

19 4566. *(a) By January 1, 2018, the pilot project assessment*
20 *team shall complete a draft report of its findings, conclusions, and*
21 *recommendations and hold at least one public meeting to discuss*
22 *the draft report and take public comment. This public meeting*
23 *shall occur at a special session hearing of the Board of Forestry*
24 *and Fire Protection.*

25 *(b) The pilot project assessment team's recommendations shall*
26 *include all of the following:*

27 *(1) Measures to develop a centralized database system that will*
28 *meet the goals described in subdivision (a) of Section 4565 and*
29 *contain the focus described in subdivision (b) of Section 4565.*

30 *(2) Guidance on how to incorporate the centralized database*
31 *system into processes that will meet the goals described in*
32 *paragraphs (1) to (3), inclusive, of subdivision (a) of Section 4565*
33 *and contain the focus described in subdivision (b) of Section 4565.*

34 *(3) Identification of any impediments to implementing*
35 *paragraphs (1) and (2).*

36 *(c) By July 1, 2018, the pilot project assessment team shall have*
37 *completed the final report of its findings, conclusions, and*
38 *recommendations and hold a public meeting, no later than*
39 *September 1, 2018, to discuss the final report.*

1 *(d) Prior to a public meeting held pursuant to subdivision (c),*
2 *the pilot project assessment team shall, at a minimum, make its*
3 *report and any supporting documents available to the public*
4 *through the department's Internet Web site.*

5 *(e) (1) No later than August 1, 2018, the pilot project*
6 *assessment team shall deliver copies of the final report to the*
7 *Legislature.*

8 *(2) The requirement for submitting a report imposed pursuant*
9 *to paragraph (1) is inoperative on July 1, 2022, pursuant to Section*
10 *10231.5 of the Government Code.*

11 *(3) A report submitted pursuant to paragraph (1) shall be*
12 *submitted in compliance with Section 9795 of the Government*
13 *Code.*

14 ~~SEC. 4.~~

15 *SEC. 2.* Section 4629.6 of the Public Resources Code is
16 amended to read:

17 4629.6. Moneys deposited in the fund shall, upon appropriation
18 by the Legislature, only be expended for the following purposes:

19 (a) To reimburse the State Board of Equalization for its
20 administrative costs associated with the administration, collection,
21 audit, and issuance of refunds related to the lumber products and
22 engineered wood assessment established pursuant to Section
23 4629.5.

24 (b) To pay refunds issued pursuant to Part 30 (commencing
25 with Section 55001) of Division 2 of the Revenue and Taxation
26 Code.

27 (c) To support the activities and costs of the department, the
28 Department of Conservation, the Department of Fish and Wildlife,
29 the State Water Resources Control Board, and regional water
30 quality control boards associated with the review of projects or
31 permits necessary to conduct timber operations. On or after July
32 1, 2013, except for fees applicable for fire prevention or protection
33 within state responsibility area classified lands or timber yield
34 assessments, no currently authorized or required fees shall be
35 charged by the agencies listed in this subdivision for activities or
36 costs associated with the review of a project, inspection and
37 oversight of projects, and permits necessary to conduct timber
38 operations of those departments and boards.

39 (d) For transfer to the department's Forest Improvement
40 Program, upon appropriation by the Legislature, for forest resources

1 improvement grants and projects administered by the department
2 pursuant to Chapter 1 (commencing with Section 4790) and
3 Chapter 2 (commencing with Section 4799.06) of Part 2 of Division
4 4.

5 (e) To fund existing restoration grant programs, ~~including~~
6 ~~programs with priority given to those programs~~ described in
7 subdivision (b) of Section 6217.1 relating to salmon and
8 anadromous trout species.

9 (f) To the department, upon appropriation by the Legislature,
10 for fuel treatment grants and projects pursuant to authorities under
11 the Wildland Fire Protection and Resources Management Act of
12 1978 (Article 1 (commencing with Section 4461) of Chapter 7 of
13 Part 2 of Division 4).

14 (g) To the department, upon appropriation by the Legislature,
15 to provide grants to local agencies responsible for fire protection,
16 qualified nonprofits, recognized tribes, local and state governments,
17 and resources conservation districts, undertaken on a state
18 responsibility area (SRA) or on wildlands not in an SRA that pose
19 a threat to the SRA, to reduce the costs of wildland fire suppression,
20 reduce greenhouse gas emissions, promote adaptation of forested
21 landscapes to changing climate, improve forest health, and protect
22 homes and communities.

23 *SEC. 3. Section 6217.1 of the Public Resources Code is*
24 *amended to read:*

25 6217.1. (a) This section and the process described in this
26 section governs the expenditure of any funds received by the State
27 of California from the federal government for the purposes of
28 salmon and steelhead trout conservation and restoration, the
29 expenditure of funds authorized for the Coastal Watershed Salmon
30 Habitat Program pursuant to Article 7 (commencing with Section
31 79104.200) of Chapter 6 of Division 26 of the Water Code, and
32 the expenditure of funds appropriated to the Department of Fish
33 and Game for salmon and steelhead trout conservation and
34 restoration from the California Clean Water, Clean Air, Safe
35 Neighborhood Parks, and Coastal Protection Fund pursuant to
36 Article 5 (commencing with Section 5096.650) of Chapter 1.696
37 of Division 5 of the Public Resources Code.

38 (b) For purposes of this section, “project” means an activity that
39 improves fish habitat in coastal waters utilized by salmon and
40 anadromous trout species.

1 (c) (1) The Department of Fish and Game shall grant funds
2 from the Salmon and Steelhead Trout Restoration Account in the
3 Resources Trust Fund, as follows:

4 (A) At least 87.5 percent of the funds shall be allocated as
5 project grants through the existing grant program operated by the
6 fisheries management program of the Department of Fish and
7 Game.

8 (B) Not more than 12.5 percent of the funds may also be used
9 for project contract administration activities and biological support
10 staff.

11 (2) (A) A project shall require the consent of a willing
12 landowner, and emphasize the development of coordinated
13 watershed improvement activities.

14 (B) Projects that restore habitat for salmon and anadromous
15 trout species that are eligible for protection as listed or candidate
16 species under state or federal endangered species acts shall be
17 given top funding priority.

18 (C) Projects shall be cost-effective and treat causes and not
19 symptoms of fish habitat degradation. Projects may implement
20 instream, riparian, water quality, water quantity, and watershed
21 prescriptions and shall be designed to *protect and* restore the
22 structure and function of fish habitat.

23 (3) Any grant funds allocated to a project that exceed the actual
24 cost of completing the project shall be returned to the Salmon and
25 Steelhead Trout Restoration Account.

26 (d) (1) A citizen's advisory committee shall be appointed by
27 the Director of Fish and Game to give advice on the grant program.

28 (2) The advisory committee shall consist of seven representatives
29 recommended by the California Advisory Committee on Salmon
30 and Steelhead Trout, one representative from the agriculture
31 industry, one representative from the timber industry, one
32 representative of public water agency interests, one academic or
33 research scientist with expertise in anadromous fisheries
34 restoration, and three county supervisors from coastal counties in
35 which anadromous trout exist. The county supervisor members
36 shall be recommended by the California State Association of
37 Counties.

38 (3) The advisory committee shall provide oversight of, and
39 recommend priorities for, grant funding under this section. In
40 making funding decisions, the Department of Fish and Game shall

1 consider the project selection priorities established by the advisory
2 committee.

3 (4) Members of any advisory committee established for these
4 purposes shall be reimbursed for travel and incidental expenses
5 related to the performance of their duties under this section.
6 Reimbursement for the advisory committee created pursuant to
7 this section shall be made from the funds designated in
8 subparagraph (B) of paragraph (1) of subdivision (c).
9 Reimbursement for other Department of Fish and Game salmon
10 and steelhead trout advisory committees shall be funded by
11 appropriate sources.

12 (5) If a member of the advisory committee, or a member of his
13 or her immediate family, is employed by a grant applicant, the
14 employer of a grant applicant, or a consultant or independent
15 contractor employed by a grant applicant, the advisory committee
16 member shall make that disclosure to the other members of the
17 committee, and shall not participate in reviewing or making
18 recommendations on the grant application of that applicant.

19 (e) Except as provided in subdivision (f), the money in the
20 Salmon and Steelhead Trout Restoration Account shall be allocated
21 as follows:

22 (1) Not less than 65 percent of the money shall be used for
23 salmon habitat protection and restoration projects *and training to*
24 *increase fisheries protection*. Of that amount, at least 75 percent
25 shall be used for watershed (upslope) and riparian area protection
26 and restoration activities. These activities may include, but are not
27 limited to, grants to acquire and install fish screens to protect
28 juvenile and adult salmon and steelhead trout from entrapment in
29 water diversions, and grants to remove substandard culverts, stream
30 crossings, and bridges that constitute barriers to spawning of
31 salmon and steelhead trout and passage of fish. These funds may
32 also be used for the acquisition, from willing sellers, of
33 conservation easements for riparian buffer strips along coastal
34 rivers and streams to protect salmon and steelhead trout habitat or
35 for projects that protect and improve water quality and quantity.

36 (2) Up to 35 percent of the money shall be allocated for any of
37 the uses listed in this paragraph.

38 (A) Watershed evaluation, assessment, and planning necessary
39 to develop a site-specific and clearly prioritized plan to implement
40 watershed improvements.

1 (B) Multiyear grants for watershed planning and project
2 monitoring and evaluations.

3 (C) Watershed organization support and assistance.

4 (D) Project maintenance and monitoring after the project
5 implementations are complete.

6 (E) Public school watershed and fishery conservation education
7 projects.

8 (F) Private sector technical training and education project grants,
9 including teaching private landowners about practical means of
10 improving land and water management practices that, if
11 implemented, will contribute to the protection and restoration of
12 salmon stream habitat; scholarship funding for workshops and
13 conferences that teach restoration techniques; operation of nonprofit
14 restoration technical schools; and production of restoration training
15 and education workshops and conferences.

16 (G) Fish and wildlife habitat improvements, as defined by
17 Section 4793, and authorized under the California Forestry
18 Incentive Program (CFIP).

19 (H) The salmon restoration project of the California
20 Conservation Corps.

21 (I) The state's share of the federal Watershed Stewards Program.

22 (J) *County salmonid conservation programs.*

23 ~~(J)~~

24 (K) Monitoring projects that utilize protocols approved by the
25 Department of Fish and Game and the National Marine Fisheries
26 Service (NMFS) to provide baseline or trend data, or both, for
27 anadromous fish populations or the physical and biological factors
28 known to be limiting recovery.

29 ~~(K)~~

30 (L) Artificial propagation programs designed to restore depleted
31 stocks of salmonids that comply with the directives of the joint
32 Department of Fish and Game and NMFS Hatchery Operations
33 Review Committee.

34 (f) The advisory committee, in any fiscal year, may make a
35 recommendation to the Department of Fish and Game to allocate
36 money from the Salmon and Steelhead Trout Restoration Account
37 for the purposes stated in subdivision (e), but in different
38 percentage requirements than the 65/35 split stated in paragraphs
39 (1) and (2) of that subdivision. Following that recommendation,
40 the Director of Fish and Game may suspend the percentage

- 1 requirements stated in paragraphs (1) and (2) of subdivision (e)
- 2 for that fiscal year only.

O